

Certificate of Mailing

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I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to: BOX PATENT APPLICATION, Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Sandra E. Marxen

Printed name of person mailing correspondence

*Sandra E. Marxen*  
Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Richard F Selden *et al.*

Art Unit:

Serial No.: Not Yet Assigned

Examiner:

Filed: Herewith

Title: *IN VIVO* PRODUCTION AND DELIVERY OF ERYTHROPOIETIN  
OR INSULINOTROPIN FOR GENE THERAPY

06/21/1999 RECEIVED BOX PATENT APPLICATION

01 FC:122 Assistant Commissioner of Patents  
Washington, DC 20231

PETITION TO ACCEPT BLACK & WHITE PHOTOGRAPHS

Applicant hereby petitions under 37 C.F.R. § 1.84(b)(1) that the black and white photographs filed herewith be accepted. The subject matter of the invention relates to methods of producing clonal cell strains of transfected secondary cells that produce erythropoietin. The photographs in Figures 5A and 5B are necessary to accurately and clearly depict the subject matter sought to be patented.

Enclosed is a check for \$130.00 to cover the fee required under 37 C.F.R.

§ 1.17(h) and one set of the photographs, rather than three, considering the Official

Gazette Notice of June 9, 1998 in which the PTO *sua sponte* waived 37 C.F.R.

§ 1.84(b)(1)(ii) so that only a single set of black and white photographs need be submitted with a Petition to Accept Black and White Photographs *in lieu* of drawings.

If there are any charges, or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: June 8, 1999

Susan M. Michaud  
Paul T. Clark      Susan M. Michaud  
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